

## **REMARKS**

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 1-24 are allowed and claims 32-37 include allowable subject matter. Claims 25-27 and 33-37 are canceled without prejudice or disclaimer in order to expedite issuance of the application. Claim 28 has been amended to include the allowable subject matter of canceled claim 33. Claims 28, 30 and 32 have been amended to address formal matters. New claim 38 includes the allowable subject matter of claim 32, and new claims 39-42 generally track the limitations of original claims 29-31 and 33. No new matter has been added.

### **§ 112 Rejections**

Claims 34-37 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection. Claims 34-37 have been canceled, rendering this rejection moot as to those claims. Applicants do not concede the correctness of this rejection.

Claims 28-33 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection. Claim 32 has been canceled, rendering this rejection moot as to that claim. Claim 28 has been amended to include the limitations of allowable claim 33 and to cancel the limitation related to this rejection. Therefore, this rejection is moot as to claim 28. Editorial changes have been made to claims 30 and 32. Applicants submit that claims 28-32 are now definite.

### **§ 102 Rejection**

Claims 25, 26 and 28-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ditto (U.S. 3,565,337). Applicants respectfully traverse this rejection. Claims 25 and 26 have been canceled, rendering this rejection moot as to those claims. Claim 28 has been amended to include the allowable subject matter of claim 33 and to cancel the limitation related to "shielding the flames". Applicants submit that Ditto fails to disclose every limitation of claim 28 as currently amended. Therefore, claims 28-31 are in allowable form. Applicants do not concede the correctness of this rejection.

### § 103 Rejection

Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ditto in view of Robinson (U.S. 4,858,826). Applicants respectfully traverse this rejection. Claim 27 has been canceled, rendering this rejection moot as to that claim. Applicants do not concede the correctness of this rejection.

### New Claims

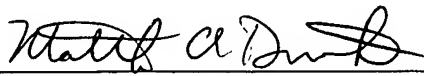
New claim 38 includes the allowable subject matter of claim 32 rewritten in independent form including all of the limitations of base claim 28. Therefore, claim 38 is in allowable form. Claims 39-42 track at least some of the limitations of original claims 29-33 and are allowable for at least the reason they are dependent upon an allowable base claim. Applicants respectfully request consideration and allowance of new claims 38-42.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any issues related to this matter, please contact Applicants' attorney listed below at 612.371.5271.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: January 23, 2004

  
Matthew A. Doscotch  
Reg. No. 48,957  
MAD/JNR:ae